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<u>SEP-</u>30-2004 THU 04:24 PM LAW OFFICE OF M ISHIMARU FAX NO. 408 738 0881 P. 03 SEP 3 0 2004. by a plus sign (+) inside this box TA TRADEMARY U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of Information unless it displays a valid OMB control number. 10/765,644 TRANSMITTAL Application Number Jan 26, 2004 **FORM** Filing Date (to be used for all correspondence after initial filing) First Named Inventor IL Kwon Shim **Group Art Unit** 2818 **Examiner Name** Andy Huynh Total Number of Pages in This Submission **Attorney Docket Number** 27-065.D1 ENCLOSURES (check all that apply) Assignment Papers (for an Application) After Allowance Communication Fee Transmittal Form to Group Appeal Communication to Board of Appeals and Interferences Drawing(s) Fee Attached Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Licensing-related Papers Amendment / Reply Petition Proprietary Information After Final Petition to Convert to a Status Letter Affidavits/declaration(s) **Provisional Application** Power of Attorney, Revocation Other Enclosure(s) (please Change of Correspondence Extension of Time Request identify below): Address **Terminal Disclaimer** Express Abandonment Request -Comments on Statement of Information Disclosure Statement Request for Refund Reasons for Allowance Certified Copy of Priority CD, Number of CD(s) Document(s) -Issue Fee Transmittal in duplicate Remarks: Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Mikio Ishimaru Individual name mikin Signature September 30, 2004 Date

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ket No.: 27-065.D1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: IL Kwon Shim, et al.

: Confirmation No.: 1186

Serial No.:

10/765,644

: Art Unit:

2818

Filed:

1/26/2004

: Examiner:

Huynh

For:

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

DOES NOT AFFECT PATENT TERM ADJUSTMENT Under 37 CFR 1.704(c)(10)

Sir:

The following Comments are submitted in response to the Notice of Allowability dated August 12, 2004. Applicants respectfully request no reduction of the Patent Term Adjustment in accordance with Clarification of 37 CFR 1.704(c)(10) - "Reduction of Patent Term Adjustment for Certain Types of Papers Filed After a Notice of Allowance has been Mailed", 1247 Official Gazette Patent Office 111 (June 26, 2001), which states:

> "The submission of the following paper after a Notice of Allowance is not considered a failure to engage in reasonable efforts to conclude processing or examination for an application: ...(6) a response to the examiner's reasons for allowance or a request to correct an error or omission in the 'Notice of Allowance' or 'Notice of Allowability' ... [underlining and deletion for clarity]

Serial No.: 10/765,644 Group Art Unit: 2818

COMMENTS

It is respectfully requested that claims 1-11 are allowable because they claim a combination, which includes, inter alia, concepts related to those addressed by the Examiner.

Respectfully submitted,

Mikio Ishimaru

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